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e Kvening Star.

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WASHINGTON, D. C., WEDNESDAY, JANUARY 14, 1903-TWENTY PAGES.

TWO CENTS.

CAPT. MAY ON STAND

Superintendent of Erie Collieries Recalled Today.

OPPOSED TO UNION

BUT ALWAYS READY TO HEAR GRIEVANCES.

Advent of Union, He Declared, Had Bad Effect on Men and Business.

PHILADELPHIA, January 14.-There was no time lost by the coal strike commission today in getting down to work. When the session opened counsel for the Erie Company, which operates the collieries of the Hillside Coal and Iron Company and the Pennsylvania Coal Company, continued the presentation of its case. Capt. W. A. May, general superintendent of the coal department of the company, who was on the witness stand yesterday, continued his story of the conditions in and about the company's collieries. Mr. May said he was always willing to meet grievance committees of his own men or any one man, and where there was a real grievance it was always adjusted.

Bishop Spalding asked the witness if the men do not feel timid about making complaints, and the witness replied that the men may possibly have been timid. instructions to the bosses, he said, were that foremen must listen to the men, and that complaints will not count against the

Company Has No Blacklist.

The superintendent said the company has no black list and he never heard of one being in existence in the coal regions. There was no objection to the men in its employ organizing for the purpose of making complaints, but it did object to the union as now organized because it brought between the men and the company, whose relations should be cordial, persons who were not interested in the company and only indirectly with the men.

The entrance of the union into the mines, he said, had the effect of making the workmen less efficient, caused a lack of disci-pline, interfered with authority, caused tyranny to prevail against other workmen and limited the earning capacity of the

Captain May produced a notice issued by the union miners, which stated that any man placing more than twelve inches of topping on the mine cars would be fined \$5 by the union for the first offense and \$10 for

he second offense. Between the strike of 1900 and the late strike there was an average of one petty strike a month at the company's collieries. Reverting to the discipline of the men, the witness said a miner flatly refused to obey the orders of a foreman, and that the latter did not dismiss him because he was afraid the union would tie up the colliery by striking for the reinstatement of the man.

Effect on Discipline.

Commissioner Clark wanted to know if the action of the foreman in not dismissing the offender did not affect the discipline of the men, and the witness said it undoubteals did.

Capt. May said the employment of coal and iron police was absolutely necessary in time of strikes. Deputy sheriffs sympa-thized with the strikers and the sheriff was unreliable. Counsel asked about the docking and weighing system, and the witness said the men were docked for the purpose of disciplining them.

In answer to counsel for the miners, Capt. May said that two years ago he did not think the miners deserving of a 10 per cent increase, but he had since changed his

Witness said he was personally acquaint-ed with President Mitchell, but he would object to meeting him as the agent for the men in the employ of the Eric Company, because it would bring in an outside ele-ment which had no interest in the business. He said the company and its men could reach an agreement without the interference of an agent. Witness said, in reply to Commissioner Clark, that in case the men and the company failed to agree he thought an agent could be called in. Mr. Clark wanted to know if the witness did not think such an arrangement would result in much good, and Capt. May said

A recess was taken until 2:15 p.m.

DETROIT COAL EXCHANGE SUED. Charged That the Members Violate Anti-Trust Law.

DETROIT, Mich., January 14.-After much investigation for a number of days Prosecuting Attorney Hunt today filed an information in the Wayne circuit court against the Detroit coal exchange, an organization of thirty local coal dealers. charging violation of the state anti-trust law of 1899 and asking for an injunction. In the information Prosecutor Hunt quotes section 5 of the constitution of the exchange, which declares that members shall not sell coal under the minimum price fixed by the exchange, and provides a fine for violations of this section by members.

Prosecutor Hunt declares that this is in violation of the anti-trust law of 1899, and Asks for an injunction to restrain the exchange and its members from maintaining the exchange or any other combination.

Judge Hosmer will hear arguments on the injunction January 26.

EFFECT OF COAL TARIFF. Removal Will Bring in Fuel From

Canadian Side. ST. PAUL, Minn., January 14.-President James J. Hill of the Great Northern Rail- to that effect over the long distance teleway Company when asked for an opinion as to the prospect of relief from fuel famine by the importation of Canadian coal if the proposed bill passes Congress said:

"With duties on Canadian coal abolished a large amount of Nova Scotia and Cape Breton coal will reach New England, and will relieve the pressure on Pennsylvania and West Virginia mines.

TO INDICT COAL DEALERS.

Expected Action of the Chicago Grand Jury.

CHICAGO, January 14.-Conspiracy indictments against members of at least three hard and soft coal combinations doing business in Illinois and Indiana are expected as the result of the labors of the special grand jury in the fuel famine inquiry. It is coninclude witnesses who have appeared before

the investigating body.

This, it is asserted, can and probably will be done through corroborative evidence se-cured tending to prove guilt brought to the attention of the grand jury by the wit-aesses' own testimony. The jurors were ad-cised today, it is believed, in what instances the evidence is deemed strong enough to convict, and true bills may be found by

TAKE UP CUBAN TREATY.

Action Taken, It is Claimed, Will Insure the Support of Practically All Republicans.

The Senate committee on foreign relaions today agreed to recommend the adoption of an amendment to the Cuban reciprocity treaty providing that the reduction of 20 per cent in the tariff on Cuban sugar shall not be further reduced by any preferential rate given to another country. Tais action was taken at the instance of the

Today's meeting also served to develop objections to other features of the treaty. Senator Taliaferro of Florida made an argument before the committee urging amendments to the provisions relating to tobacco and cattle, and Senators Bacon and Bailey, both democratic members of the committee, indicated opposition to the treaty on other grounds.

Senator Bacon offered an amendment placing the Cuban treaty on the same basis as other reciprocity treaties with reference to the House of Representatives, but the

amendment was not acted on.
Senator Bailey took positive ground against the policy of securing reciprocal relations with other countries by means of treaties. He said that such a course is un-constitutional in that it is an interference with the authority vested in the Hous; of Representatives to originate all tariff legis-

lation.

The amendment agreed upon is in the shape of a proviso attached to the eighth article of the treaty, and is as follows:

"Provided, That while this convention is in force no sugar being the product of the soil of the republic of Cuba shall be exported from said republic to the United States at a greater reduction of duty than 20 per cent below the rates prescribed by the act of July 24, 1897; and provided further, that while this convention is in force ther, that while this convention is in force no sugar shall be imported into the United States from any other foreign country at a lower rate of duty than that imposed by the act of July 24, 1897."

The committee did not reach a vote on the motion made by Senator Bacon to strike out article six of the treaty exempting American tobacco from preferential rates given by Cuba to American articles.

It is claimed that the adoption of the amendment relative to the reduction on sugar will have the effect of insuring the support of practically all the republican senators. The opposition to striking out the provision regarding tobacco was because of the plan on the part of the Cubans that under it American tobacco might be shipred to Cuba and than exported from that sland as Cuban tobacco. If Senator Bacon's pending amendment should be adopted the treaty would not become effective until it should be acted upon by the House That amendment reads: "This treaty shall not take effect until the same shall have been approved by the Congress.

Senator Bacon was speaking in support f this amendment when the committee ad-

THE STATUS OF GUAM.

Pressing Need of the Formation of a Government.

The Navy Department is face to face with another one of those test cases which are gradually determining the status of our insular possessions. This time it is the Island of Guam that is concerned. As recently reported in The Star, a marine, sentenced to a long term of imprisonment out there, appealed to the Supreme Court of the District of Columbia for a writ of habeas corpus, returnable here in Washington. The Navy Department has requested the Attorney General to assign counsel to represent the department at the hearing before the court on the 23d instant. The case serves to direct the attention of Congress to the pressing need of the creation of a of government by legislation Guam.

HURT IN A FIST FIGHT.

Midshipman Pearson's Jaw Not Broken by Hazers.

Superintendent Brownson of the Naval Academy has reported privately to the Navy Department that after an investigation of the case of Midshipman Pearson of New Hampshire, who is suffering from a broken jaw, he found nothing to indicate that Pearson received his injury as a result of hazing, or "funning," as they call it at the academy. All the evidence obtained by Capt. Brownson tended to show that young Pearson was hurt in an ordinary fist fight with another midshipman.

About a dozen midshipmen have been confined to the Naval Academy guardship on a charge of supposed connection with the Pearson hazing. Most of those confined are nembers of the third class, and if the result of the investigations now going on justifles it, regular charges will be brought and a court-martial convened.

Investigation of the alleged case of hazing of Midshipman Pearson will probably not be pressed further, the authorities at Annapolis and the navy being convinced that the injuries received by the midshipman were not the result of unfair play. Superintendent Brownson of the Naval Academy. ports as to hazing at the academy, had a long conversation by telephone with Acting Secretary Darling of the Navy Department this morning in regard to the Pearson case, and the facts do not bear out the allegations that have been made against Mid-

SECRETARY MOODY TO RETURN. He Has Nearly Recovered From Ef-

fects of His Accident. Secretary Moody has almost entirely recovered from the effects of his recent accident at Annapolis, and will return to Washington this afternoon. Mr. Fishback, his private secretary, received information phone this morning, in addition to which he was informed that the Secretary was engaged yesterday afternoon and this morning in a complete inspection of the buildings in course of erection in order to determine the necessity for further appro-

priations. Senator Hale, chairman of the Senate naval affairs committee, who accompanied Secretary Moody to Annapolis and was with him when he was thrown from his carriage, returned to this city yesterday.

PENSACOLA INFIRMARY BURNS. One of the Patients Perishes in His Room.

MOBILE, Ala., January 14.-A Pensacola, Fla., special says the Bryan Infirmary was destroyed by fire today and a patient of the sidered possible that these indictments will his room. All the other patients were

name of Blockton was burned to death in his room. All the other patients were rescued in their night clothes and were given prompt attention at St. Anthony's Hospital.

There were many narrow escapes owing to the late discovery of the fire and the rapid headway it made. Citizens aided the firemen in removing the patients, several of whom suffered relapses later as a result of exposure. The fire is supposed to Chairman Babcock in a communication from G. C. M. Browne of 144 R street northeast, so as to compel the vestibuling of all street cars.

To Abandon Part of W Street.

A bill was introduced in the House today by Representative Jenkins of Wisconsin, providing for the abandonment of W street the first senator from Ohlahoma," said Mr.

FOREIGN RELATIONS COMMITTEE PETITIONS PROTESTING HIS SEATING IN SENATE EXPECTED.

> Why Republican Senators Are Interested in the Prospective Election of the Apostle.

Senators apprehend an avalanche of petitions and memorials against the seating of Mr. Smoot, the apostle of the Mormon Church, in case that gentleman is elected to the United States Senate by the Utah legislature, as it seems probable he will be From the surface indications it appears that the only objection to be urged against Mr. Smoot will be that he is an official of the Mormon Church. That is not likely to prove sufficient ground to debar him from the Senate, and it is not considered probable that the purely sentimental protests of the Gentile sentiment can be made to count against his certificate of election by

a state legislature. It will be noted that Mr. Smoot's case would differ from the case of Representa-tive Roberts, who was charged with being

made against Mr. Smoot. Why Senators Are Interested.

Republican senators are interested in the prospective election of Mr. Smoot from the fact that they know the democrats will charge that he was slated to carry out the "bargain" which the democrats allege the republican national committee made in 1900 with the leaders of the Mormon Church, namely, that the Mormon vote, being the balance of power in Utah, Colorado, Idaho, Nevada and Wyoming, should be cast for the republican party in return for a policy of "hands off" by the republicans toward the Mormon propaganda.

Republican senators realize that circum-stantial evidence seems to be against them. The republican party has made sweeping gains in Idaho, Utah and Colorado, which the democrats will claim were due to the Mormon vote. If the Mormon senator should be seated in the face of overwhelming public opposition the democrats will claim that the republicans are delivering their share of the goods, although he may be seated because it would be illegal to keep him out.

What Democrats Say.

The democrats say that it was realization of this condition which induced President Roosevelt to take the unusual course of voicing an opinion about the election of a senator by a sovereign state.

BRIG. GEN. JOHNSTON RETIRES.

The Vacancy Will Be Filled by the Promotion of Col. Hayes.

The nomination of Lieut. Col. John A. Johnston of the adjutant general's departfirmed by the Senate yesterday. Gen. Johnston had resigned his commission in the army to take charge of his large personal interests, and his resignation had been accepted to take effect February 1. In the meantime, in recognition of his valuable. military services, he was appointed to a vacancy in the list of brigadier generals. He was commissioned in his new grade today, and tendered his resignation to take effect at once and it was accepted.

The vacancy thus greated in the list of brigadier generals will be filled at once by the promotion of Col. Edward M. Hayes, commanding the 13th Cavalry, with headquarters at Fort Meade, South Dakota. Col. Hayes is a native of New York, and began his military service as a musician in the 2d Cavalry in August, 1855, and has had longer service than any other officer in

DECEMBER POSTAL RECEIPTS. Increase in Business in This City Was

11.2 Per Cent. The monthly statement of the receipts of the fifty largest post offices in the country for the month of December was issued by the third assistant postmaster general this morning. According to this statement the receipts for the month for all of these offices amounted to \$5,871,822, while the receipts for the corresponding month last year were \$5,134,587, showing an increase of 14.2 per cent, or \$734,235. The receipts for the Washington post office were \$93,745, while those of last year were \$84,284, an increase of 11.2 per cent, or \$9.461. The greatest per cent of increase noted was in the post office at Dayton, Ohio, where the receipts showed an increase of 33.8 per cent over that of last year. The amount of the receipts at Dayton last month was \$32,514, and the corresponding month in 1901 was \$24,296, the increase being \$8,218. Los Angeles, Cal., comes next, with an increase of 32.4 per cent, the receipts being-1902, \$46,308; 1901, \$34,963; increase, \$11,063. St. Louis shows an increase of 32 per cent, and the three largest cities, New York, Chicago and Philadelphia, note increases of 15, 8.6 and 10.9 per cent, respectively.

The only city which showed a decrease

was Troy, N. Y., where the general distributing agency for postal cards has recently been abolished. The decrease noted was 2.2 per cent. The showing of the report this month is regarded as remarkable, because of the general increase in the receipts throughout the country. The statement from Troy can hardly be taken as an evidence of decrease in the actual recelpts of the office, because the postal card agency recently abolished, helped to swell the receipts of last year, while nothing of the kind was at hand this year, and

NAVAL APPROPRIATIONS.

ceived in daily business.

the statement given is that of money re-

Bill Reported to Full House Committee Today.

The naval appropriation bill was reported to the naval committee of the House this morning by the subcommittee which has been considering it. The bill at present carries \$78,713,420.15. The estimates upon which it is based amounted to \$82,426,030.58. The bill last year carried \$78,856,363,13. It is understood that the bill makes provision for the construction of three new battle ships, one armored cruiser, two steel training ships and one wooden brig. The price of the new ships is fixed the same as that in the last bill. The increase in the personnel has not yet been arranged for. The committee will at once take the bill up

To Vestibule Street Cars.

A communication urging an amendment to the pending bill to regulate street railways in the District of Columbia is sug-

AMENDMENT FAVORED AGAINST MR. SMOOT AT THE WHITE HOUSE

Judge Day for the Supreme Bench.

PARDON FOR INDIAN

HIS HALF-BREED MOTHER URGES THE PRESIDENT.

Many Applications for Expected White House Positions-Some of Today's Callers.

Judge William R. Day, cfrcuit judge of the sixth circuit, embracing Ohio, Michigan, Kentucky and Tennessee, is under consideration by President Roosevelt for the prospective vacancy on the Supreme bench of the United States, and the chances are strong that the President will offer the position to him. There has been no formal offer of the associate justiceship to Judge Day, but the President entertains such a high opinion of the Ohio jurist that the formal tender may be made in a short time. It is believed that the offer will be accepted by Judge Day, who is known to have had ambitions for the Supreme bench. The fact that the President is known to

be giving this selection serious consideration leads to the belief that the resignation of Associate Justice Shiras is in his hands, to take effect when a successor is appointed and qualifies. The resignation is either with the President or he has been given to understand that it will soon be presented. The selection of Judge Day, now prac-tically assured, is due to the fact that Gov. Taft has given to the President his belief that it would be best for him to remain in the Philippines awhile longer to complete important work that remains to be done there. The desire of the Filipinos themselves has been a factor in this conclusion of Gov. Taft. That the President had fully of Gov. Taft. That the President had fully intended that this vacancy, should go to Gov. Taft is pretty well understood, and if a formal offer was not made Gov. Taft knew that the position was open to him if he desired it. Gen. Luke Wright, vice gov-ernor of the Philippines, is said to agree with Gov. Taft that it would be best for the present head of the Philippine government to remain where he is for some time longer. The President will appoint him to the Supreme bench when he has concluded his work in the Philippines. The suggestion is made that Chief Justice Fuller may soon wish to retire and that Gov. Taft would be Judge Day, who will go on the Supreme Court bench, was an Ohio state jurist before he came to Washington with Presi-

dent McKinley as assistant secretary of state. Prior to coming here he had been home county, Stark. In 1889 he was appointed judge of the northern district of Ohio by President Harrison, but after serv-ing a short time resigned on account of ill health. After the resignation of John Sherman as Secretary of State Judge Day became Secretary, filling this position dur-ing the Spanish-American war and con-ducting the onerous and difficult duties of that period with great distinction. After the war he resigned and President McKin-After

ley appointed him a circuit judge.

It is said that there would be nothing against the appointment of both Judge Day and Governor Taft as justices of the Supreme Court, although both are from Ohlo. Several times in the history of the court there have been two Ohlo men on the court there have been two Ohio men on the court at the same time.

A Friend of the Indian.

Two men in Congress are regarded by the Indians of the country as their particular friends in Washington, and Indians from all tribes and all places go to them to ask favors and to intercede for one thing and another. Senator Quay is one of these men and Representative Curtis of Kansas is another. Mr. Curtis is now one of the strongest candidates for senator from Kansas to succeed Senator Harris (democrat). Senator Quay was at the White House today with a fine-looking Cherokee woman, Mrs. Mary Walker. The latter is the mother of Henry Star, the leader of one of the celebrated bands of outlaws that infested the Indian territory a number of years ago. Robberies and murders were frequent while the gang existed. Henry Star was convicted on three charges, one of them manslaughter, and was given a total of fifteen years in the Ohio penitentiary. He is there now. By good behavior his term will expire in 1906, but it is claimed for him that he served four years in jail before his penitentiary sentence began, and that this is equivalent to the full sentence that was given him. Star's mother came on here to intercede for her son and thought of the silent but good-hearted Pennsylvania senator as the most infinential perso to help her. She went to him, and his sympathies were

enlisted in her behalf. He introduced her to the President, where she briefly asked that her son be pardoned. Later in the day the senator presented Mrs. Walker at the Department of Justice, where she likewise urged the pardon of her son. There is said to be not much in favor of the pardon except good behavior since the imprisonment, a long imprisonment prior to the beginning of this one and bad health at this time. Mrs. Walker is a fine-looking half-breed Indian woman.

Some White House Positions.

Applications, both verbal and written, are already reaching the President and Secretary Cortelyou for a number of positions that are expected to be created for the White House upon the passage of the legislative, executive and judicial bill. This measure makes provision for a number of additional doorkeepers, clerks and other employes, and the rush for the positions has already begun. A Pennsylvania representative filed at the White House today the application of a constituent for one of these places. Some additional employes at the White House were made necessary by the enlargement of the building and the erection for the President of separate quar-

An Alaskan Appointment.

G. M. Esterly and Thomas V. Hoggatt of Valdez, Alaska, had an interview with the President today to urge the appointment of Thomas R. Lyons as United States attorney for the first district of Alaska, to fill the vacancy caused by the death of Robert A. Friedrich. The office of the attorney of this district is located at Juneau. The President is being pressed as to a num-ber of changes in Ajaska, and there are many different interests at work.

Senator Hanna was one of the President's callers who had a long interview today.

He was with the President some time. Rep-

resentative Dick was also a caller.

Representative Erwin of Louisville presented Arthur Bonnycastle, a young man of Louisville, who wants to become a lieutenant in the regular army. From the White House they went to the War De-

the House so that he may push his candidacy for United States senator when Oklahoma has been admitted as a state. Mr. McGuire was accompanied by his wife. Senator Foraker introduced a constituent from his state and Representative Boutelle of Illinois presented his son, a young man who is in the senior class of Harvard.
Senator Burrows paid a brief call. Representative Steele of Indiana was with the President a short time. Mr. Steele says that there will probably be some trust legis-lation at this session of Congress, but he does not believe that it will be of a char-acter that will prove effective. Trouble Down in Georgia. Senator Clay and Representative Fleming of Georgia visited the President today on

matter pertaining to that state. They said that it was not a matter of interest. Some time ago, it is stated, Representative Fleming filed charges at the Post Office Department that the negro republian chairmen of Georgia counties were blackmailing postmasters. Whether this matter was touched upon with the President is not known. The allegation contained in the charges was that negro cause of the attitude of the President toward the "illy white" question, used their apparent influence to inform postmasters that unless they paid certain sums of money the chairmen would make charges against the postmasters and have them emoved.

It is said that an investigation of the charges by a post office inspector revealed that they were true as to some counties. What will be done is not known, although if this was talked of to the President the supposition is that he would act promptly in having postmasters informed that they must not regard the threats. Southern men state that the overturning of "lily white" organizations in some of the southern states has greatly emboldened some of the more ignorant negro feaders, and they take opportunity to threaten white officials with their influence unless the latter comply with demands.

S. P. Mitchell, colored, who says he is president of the National Industrial Council, went to the White House today with several colored men to present some paper bearing upon the old subject of pensioning exslaves. He said he wanted to ask the President to consider the feasibility of taking from state and county institutions of char-ity in the south 170,000 negroes and "relieve the southern taxpayers who are so heavily taxed to maintain these people.' Mitchell said that the pensioning of ex-slaves would bring about an equal distribu-

The greater portion of pensions, river and harbor appropriations and other ex-penditures go to the north. Then Mitchell et fall a hint that if he cannot get this administration to aid in his plans he will organize the negro vote and settle the matter. "I have no resource for adjustment of this matter except the polls," he said. "If the President and his cabinet and Congress fail to hear us we can, by organization in the northern states, change the color of things greatly before the next election. can get people in office who will aid us. The agitation of this question means the negro vote next fall and in 1904."

tion of public moneys. The north is getting three-fourths of the money now being dis-

ARRIVAL OF THE LOGAN.

Names of the Passengers Wired to the War Department.

Adjutant General Corbin is informed of the arrival of the transport Logan at San Francisco from Manila with the following

military passengers: Lieut. Col. Davis, 5th Infantry; Majors Haines, Grube, Burns, Washburn, Seauner and Hadra, medical department; Captains Barney, Wootten, Schlageler, Littlefield, Fanner, Mullins, Conn, Romig, Gilbert, Wertenbaker, F. J. Bailey, H. Gunn, Driver, Pascoe, Trook, Pressnell, Graves, Eicher

and Logino, medical department; Edwards,

23d Infantry; Spence, 30th; Lieuts. Craig

and Turner, 6th Cavalry; Boyle and Boon, 19th; Rutherford, 24th; Chapman, 25th; Little and Chandler, 30th; Turnbull, med-ical department; Byars and Lord, contract surgeons; seven army nurse corps, female; Company D, 30th Infantry, 69 enlisted; 1,040 discharged, 214 sick, 279 casuals.

The following deaths occurred during the voyage: Robert E. Barrett, private, Troop F, 11th Cavalry, sprue: Peter Parvin, discharged soldier, late private, Troop G, 11th Cavalry, acute dengue fever; Frederick B.

Cavairy, acute dengue fever; Frederick B. Martin, discharged soldier, late private, Company L. 21st Infantry, abscess of the liver; Edward Kurtz, discharged soldier, late private, Company E, 1st Infantry, drowning; William Wright, corporal, Company A, 2d Infantry, chronic gastro enteritis; Mark F. Hill, private, Company A, 2d Infantry, chronic dysentery.

TO SEIZE THE COAL MINES.

Provisions of a Resolution Introduced by Chairman Jenkins. The feasibility of government control of

'all coal, coal beds and coal mines in the United States" is suggested in a resolution introduced in the House today by Chairman Jenkins of the House committee on the

The resolution, which has been referred to the committee on rules, provides: "That the committee on the judiciary be and is hereby directed to investigate and report to this House, with all convenient

of all coal, coal beds and coal mines in the United States, and all lines of transporta-tion, agencies, instruments and vehicles of commerce necessary for the transportation of coal, and that if in the opinion of that committee the power exists and a necessity for the exercise of such power has arisen, that that committee forthwith report to this House a bill declaring the necessity, provid-ing fully and in detail the occasions, modes, conditions and agencies for said appropra-tion that will fully and completely exhaust the power of Congress in that regard."

Mr. Jenkins is a firm believer in immediate and drastic action to relieve the gen-eral distress on account of the lack of coal. That the method proposed in his resolution is the most effectual way to do this he also believes, as well as that there is ample constitutional authority for such a step. Mr. Jenkins has already received congratulations by wire on his resolution from New York and other cities.

"THE WEIGH OF THE TRANSGRESSOR."

He will endeavor to get its immediate con sideration by the rules committee.

TO RETIRE PAPER MONEY. Proposed Issue of \$361,000 in Bonds by Nicaragua.

United States Consul Danaldson at Mana gua reports to the State Department that President Zelaya of Nicarauga has issued a decree asking for a loan of \$361,000 from the merchants in the country, both native and foreign, for which the government will issue bonds, to be offered in quantities of not less than \$360, to the business men, who. November 2, agreed not to buy silver at a higher rate than 100 per cent premium. Consequently, chiefs of custom houses will liquidate policies with an increase of 100 per cent on the present tariff. The consul says the increase had been for about one month 180 per cent. The new bonds are to be used in retiring the nais provided that 25 per cent of all customs duties shall be payable in these bonds.

BUSINESS PARALYZED.

General Strike Threatened by Labor at Buenos Ayres.

Strikers at Buenos Ayres have caused the situation at that port to become serious, says United States Consul Daniel Mayer, reporting to the State Department November 21 last, and a general strike is threatened. Attempts are being made to cause laborers of all classes to join the strike, though in several instances they had proved unsuccessful. Agitation is afoot to obtain congressional sanction for what is termed "lev de residencia." a measure which would enable the authorities to make short work of certain alleged anarchists whom the consul charges with being mainly responsible for the strike. Business has been practically paralyzed as a result of the strike, and the consul says public feeling in the com-mercial world is adverse to the pretensions of the strikers.

A CARTAGE CONTRACT.

Charges Against Collector Thomas of Philadelphia.

An airing of customs department linen is promised in Philadelphia, if charges made against Collector Thomas are taken up and proven to be true. The collector is in Washington now to explain his cancellation of the cartage contract made several months ago by the government with Young & Co. of Philadelphia. The contractors who have been hauling the government stores to and from the bonded warehouses claim that Mr. Thomas took the job away from them without cause or due notice and gave it to another firm that "stands" better in his estimation. Mr. Thomas asserts that the service rendered by Young & Co. was not up to the standard required by department and that the contractors did receive the notice due them to improve or abandon the work. As they did not improve the contract was taken away from

Transferred to Government. By deed placed on record today Michael Weller and Rita Weller, his wife, conveyed to the United States all of square 853,

and also all their interest in square 854.

The property is bounded by L and N, 5th and 6th streets southeast, and is opposite the northwest portion of the navy yard Minister Bowen at Kingston. Notification of the arrival at Kingston, Jamaica, this morning of the Dolphin, with United States minister to Venezuela

and Mrs. Bowen aboard, reached the State and Navy departments today. Upon the departure of the Dolphin from that port after coaling the Washington authorities will be advised of the Dolphin's itinerary. It is expected that Minister Bowen will land at Tampa or Charleston to escape rough weather off Hatteras, and come on to Washington by rail, thus arriving here several days some

eral days soon Library Deficiency Estimate. A deficiency estimate of \$10,000 for fuel

The proof that an article deserves public confidence is inviting public attention to it-otherwise advertising. It's only the article of merit that can stand publicity.

VICTORY FOR THE W. U.

Pennsylvania Enjoined From Removing Its Wires.

DECISION AT TRENTON

ACTION BASED ON STATUTE OF 1866.

Any Telegraph Company May Erect Lines Along Post Roads of

the United States.

TRENTON, N. J., January 14.-In the United States circuit court, district of New Jersey, a decision was filed today in favor of the Western Union Telegraph Company, restraining the Pennsylvania railroad from interfering with the company's lines along the road. The injunction is made perma-

The decision, as handed down, recites the following United States statute, enacted July 24, 1866:

"Any telegraph company now organized. or which may hereafter be organized under the laws of any state, shall have the right to construct, maintain and operate telegraph lines over and along any military or post roads of the United States which have been, or may hereafter be declared such by law, but such lines of telegraph shall be so constructed and maintained as not to interfere with the ordinary travel on such mill-tary roads." All railroads are declared by

law to be post roads. Has Never Reached Supreme Court.

The decision continues: "While the question here at issue has not had judicial interpretation by the court of last resort, the statute of July 24, 1866, as applicable to post roads, has several times been before the courts for their construction. It has been held that because of this law, one company having exclusive privileges under the state law cannot prohibit the erection of the telegraph lines of another company on the post roads of the United States where such other companies have accepted the provisions of the act of July 24, 1866, when those in control of such roads have

given their assent. "It has also been decided in United States agt. Union Pacific Railroad Company That agt. Union Pacific Railroad Company That no railroad company owning a post road of the United States over which interstate commerce is carried on can, consistently with the act of July 24, 1866, bind itself by agreement to exclude from its roadway any telegraph company incorporated under the laws of a state, which accepts the provis-ions of the act and desires the use of that roadway for its lines in such manner as will not interfere with the ordinary travel

Injunction Made Permanent.

The deciding judge, in closing, said: "In view of the facts presented and for the reason stated, I have decided to make permarrent this injunction. In this way the defendants will have an opportunity to appeal to the next term of the circuit court of appeals; while, should the rule be discharged, the complainant would have no appeal, and the injury to its property, which is threatened, would have been ac-

complished before the case had been prop-erly considered." The contention of the defendant com-pany that it has entered into a new contract with another telegraph company, and that there is not sufficient room on its right-of-way for the lines of more than one ought to await the final determination of

CROSS BILL AGAINST W. U.

the cause.

New Phase of the Pennsylvania Company's Fight. PITTSBURG, Pa., January 14.-A new

phase of the legal battle between the Western Union Telegraph Company and the Pennsylvania Railroad Company developed today when the Pennsylvania company filed a cross bill in the United States circuit court against the Western Union Telegraph Company. The cross bill alleges that a partnership has existed between the plaintiff and defendant for years, and the court is asked to declare that all contracts and agreements between the defendant and plaintiff terminated and ended as of June 2, 1903; that an accounting be had and a decree made fixing and determining the respective rights and standing of the plaintiff and defendant in and to the property con-

and defendant in and to the property con-stituting the lines of telegraph which are the subject matter of this litigation. The court is further asked to declare that the Western Union Telegraph Company has no right or authority to occupy any portion of the property of the Penn-sylvania under the acts of Congress. The court is asked to grant a perpetual injunc-tion restraining the defendant company from in any manner using or occupying the property or any portion thereof of the plaintiff after the 2d day of June, 1903, and from interfering with the plaintiff in removing the property from all of the lines of the defendant company if deemed neces-

The Pennsylvania company also filed an answer and demurrer in the previous case, asking that the portion of the agreement that no other company or individual be permitted to build or operate a telegraph line along the right of way of the railroad company be declared void and illegal, because it was intended to create a monopoly in the telegraph business.

JUDGE DAY NON-COMMITTAL. Has Not Heard of His Appointment to

Supreme Bench. CINCINNATI, January 14.-Judge Wm. R. Day, who is sitting as a member of the United States court of appeals, when asked about the reported appointment of himself as an associate justice of the United States Supreme Court, said he had no in-formation of the appointment. He de-clined to answer a further question wheth-er he had been consulted by the President

with reference to such an appointment. WANT THE ARMY MANEUVERS.

Residents of Pacific Coast Will Communicate With Officials Here. SAN FRANCISCO, January 14.-An at-

tempt is being made to have the government hold the great annual maneuvers between the army and navy on the Pacific coast next year. It has been learned from a reliable source at the Presidio that the Secretary of War and the Secretary of the Navy are to be communicated with in regard to the matter, and a request, backed by what are deemed excellent reasons, is to be made that these officials order the great mimic to war take place along the coast of California.

Mr. Tongue's Body En Route Home. CHICAGO, January 14.—The special train Is suffered relapses later as a by Representative Jenkins of Wisconsin, McGuire. "We are going to make Dennis providing for the abandonment of W street the first senator from Oklahoma," said Mr. speed, the opinion of that committee as to northeast, between Lincoln and Rhode Island avenues.

In the first senator from Oklahoma," said Mr. speed, the opinion of that committee as to hearing the body of the later representative Jenkins of Wisconsin, McGuire. "We are going to make Dennis the first senator from Oklahoma," said Mr. speed, the opinion of that committee as to hearing the body of the later representative Jenkins of Wisconsin, McGuire. The first senator from Oklahoma," said Mr. speed, the opinion of that committee as to hearing the body of the later representative Jenkins of Wisconsin, McGuire. The later representative Jenkins of Wisconsin, McGuire. Speed, the opinion of that committee as to hearing the body of the later representative Jenkins of Wisconsin, McGuire. The later representative Jenkins of Wisconsin, McGuir